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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

SEARS HOLDINGS CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**NOTICE OF HEARING ON MOTION FOR RELIEF FROM THE
AUTOMATIC STAY FOR THE PURPOSE OF JOINING SEARS
HOLDINGS CORPORATION AS A DEFENDANT IN EXISTING LITIGATION
PENDING BEFORE THE ONTARIO SUPERIOR COURT OF JUSTICE
(COMMERCIAL LIST) AND TO LIQUIDATE CERTAIN CLAIMS
AGAINST SEARS HOLDINGS CORPORATION IN SUCH EXISTING LITIGATION**

PLEASE TAKE NOTICE that a hearing on the annexed motion (the “Motion”) of FTI Consulting Canada Inc., in its capacity as the court-appointed monitor (the “Monitor”) for Sears

Canada Inc. and certain of its affiliates¹ in insolvency proceedings under the *Companies' Creditors Arrangement Act*, R.S.C. 1985, c. C-36 pending before the Ontario Superior Court of Justice (Commercial List); the Honourable J. Douglas Cunningham, Q.C., in his capacity as the court-appointed litigation trustee for the Canadian Debtors (the "Litigation Trustee"); Morneau Shepell Ltd., in its capacity as administrator (the "Plan Administrator") of the Sears Canada pension plan; and 1291079 Ontario Limited as the class representative for the potential class of Sears Hometown Dealer stores (collectively with the Monitor, the Litigation Trustee, and the Plan Administrator the "Canadian Plaintiffs"), for entry of an order granting (a) the Canadian Plaintiffs relief from the automatic stay and (b) such other and further relief as is just and proper, will be held before the Honorable Robert D. Drain, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, Courtroom 118, 300 Quarropas Street, White Plains, New York, 10601-4140 (the "Bankruptcy Court") on **May 21, 2019 at 10:00 a.m. (Eastern Time)** (the "Hearing"), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that any responses or objections (the "Objections") to the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the Southern District of New York, shall be filed with the Bankruptcy Court (a) by attorneys practicing in the Bankruptcy Court, including attorneys admitted pro hac vice, electronically in accordance with General Order M-399 (which can be found at www.nysb.uscourts.gov), and (b) by all other parties in interest, on a

¹ The Canadian Debtors are: Sears Canada; 9370-2751 Quebec Inc.; 191020 Canada Inc.; The Cut Inc.; Sears Contact Services Inc.; Initium Logistics Services Inc.; 9845488 Canada Inc.; Initium Trading and Sourcing Corp.; Sears Floor Covering Centres Inc.; 173470 Canada Inc.; 2497089 Ontario Inc.; 6988741 Canada Inc.; 10011711 Canada Inc.; 1592580 Ontario Limited; 955041 Alberta Ltd.; 4201531 Canada Inc.; 168886 Canada Inc.; and 3339611 Canada Inc.

CD-ROM, in text-searchable portable document format (PDF) (with a hard copy delivered directly to Chambers), in accordance with the customary practices of the Bankruptcy Court and General Order M-399, to the extent applicable, and shall be served in accordance with the *Amended Order Implementing Certain Notice and Case Management Procedures*, entered on November 1, 2018 (ECF No. 405), so as to be filed and received no later than **May 14, 2019 at 4:00 p.m. (Eastern Time)** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE that if no Objections are timely filed and served with respect to the Motion, the Canadian Plaintiffs may, on or after the Objection Deadline, submit to the Bankruptcy Court an order substantially in the form of the proposed order annexed to the Motion, which order may be entered without further notice or opportunity to be heard.

PLEASE TAKE FURTHER NOTICE that any objecting parties are required to attend the Hearing, and failure to appear may result in relief being granted upon default.

Dated: April 16, 2019
New York, New York

/s/ Eric Daucher

Eric Daucher

Francisco Vazquez

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-and-

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/s/ Laura R. Hall

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